

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

SONNY DAVIS,)	
)	
Petitioner,)	
)	
v.)	No. 2:19-cv-00005-JPH-MJD
)	
RICHARD BROWN,)	
)	
Respondent.)	


ORDER DENYING MOTION TO SUBSTITUTE NOTICE OF APPEAL

This Court denied Sonny Davis's petition for a writ of habeas, and Mr. Davis filed a notice of appeal. Dkt. 22; dkt. 26. On August 13, 2020, the Seventh Circuit dismissed Mr. Davis's appeal for failure to pay the required \$505 appeal fee. *Davis v. Brown*, No. 20-2156, dkt. 8 (7th Cir.). On Mr. Davis's motion, the Seventh Circuit vacated the dismissal order and recalled the mandate. *Davis v. Brown*, No. 20-2156, dkt. 9 (7th Cir.). That same day, Mr. Davis filed a motion in this Court seeking to "substitute" his previously filed notice of appeal. Dkt. 35.

Mr. Davis's motion to substitute notice of appeal, dkt. [35], is **DENIED**. His original appeal is pending in the Seventh Circuit, and the proposed substitute notice of appeal is duplicative of his original one.

SO ORDERED.

Date: 8/31/2020


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

SONNY DAVIS

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Justin F. Roebel

INDIANA ATTORNEY GENERAL

justin.roebel@atg.in.gov